

Summary

Rights and duties of the insolvency trustee in bankruptcy

The topic of this Master's thesis is rights and duties of the insolvency trustee in bankruptcy. The aim of the thesis is to describe activities of insolvency trustee that are related to the solution of debtor's decline by bankruptcy. The insolvency trustee is an important subject of insolvency proceedings; in the case of bankruptcy his task is primarily related to activities associated with the estate, with its liquidation and distribution of proceeds.

First chapter focuses on insolvency proceedings in general. First part deals with historical context; second part analyzes the process of insolvency proceedings with a respect to different ways of resolving the debtor's decline – reorganization, discharge from debts and specific ways (i.e. a slight decline and the bankruptcy of financial institutions).

In the next chapter, the bankruptcy is discussed as another way how to solve the debtor's decline, regarding to the subject of the thesis.

The third chapter is divided to two sections. The first analyzes the term „insolvency trustee“ and also defines specific types of this subject of insolvency proceedings. Individual subsections focus on the each specific type. The second section deals with responsibility of insolvency trustee.

The last and longest chapter analyzes concrete rights and duties of the insolvency trustee, regarding to trustee's activity in bankruptcy. The chapter is divided into several subsections. These subsections analyze primarily activities of the insolvency trustee related to the presentation of claims and processes associated with the estate.

The Insolvency Act reacted to the changes in insolvency law and replaced the obsolete regulation. This change has also affected the institution of insolvency trustee. The changes in the Act were mainly caused by the effort to transparency and predictability and it's possible to say that this might has been fulfilled in the extensive processing in The Insolvency Act.